



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,095	06/11/2002	Chih-Wei Hung	9068-US-PA	7113
31561 7590 02/29/2008 JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE 7 FLOOR-1, NO. 100 ROOSEVELT ROAD, SECTION 2 TAIPEI, 100 TAIWAN			EXAMINER GURLEY, LYNNE ANN	
			ART UNIT 2811	PAPER NUMBER
			NOTIFICATION DATE 02/29/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USA@JCIPGROUP.COM.TW



UNITED STATES PATENT AND TRADEMARK OFFICE

---

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/064,095  
Filing Date: June 11, 2002  
Appellant(s): HUNG, CHIH-WEI

**MAILED**  
FEB 29 2008  
**GROUP 2600**

---

Belinda Lee  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed August 9, 2006 and corrected appeal brief filed November 27, 2007 appealing from the Office action mailed 11/18/2005.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The Brief is deficient because the Brief (page 2) does not explain that the "local interconnect ... extending to an upper portion of the isolation structure to cover a periphery of the isolation structure" limitation of independent claim 1 is shown by conductive layer 212 over the periphery of the isolation structure 204, between photodiode 206 and gate of source follower transistor 222, in Figure 2 (see page 7, 24, lines 14-16). The conductive layer 212 caps a periphery of the isolation structure 204, between photodiode 206 and gate of source follower transistor 222.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,392,263	Chen et al.	5-2002
6,649,950	He et al.	11-2003
6,740,915	Rhodes	5-2004

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

**Claims 1-7 and 16 are rejected under 35 USC 103 as unpatentable the evidence being He et al, Chen et al '263 and Rhodes '915, all considered together.**

For an image device pixel as in Chen et al (Figure 1C), with the photodiode and reset transistor as in He et al (Figure 2), it would have been obvious to use an "interconnect" 320 as in Rhodes, extending to an upper portion of the isolation structure" 132, 332 as in Rhodes, in order to connect the n-type "source" region 201 of the "reset" transistor as in He et al to the gate of a "source follower" transistor as in Rhodes and Chen et al. The "photodiode sensing" region reads on a photodiode region 103 as in He et al. The n-type region 201 as in He et al (Figure 2) corresponds to a region 30 as in Rhodes (Figure 1) and region 315 as in Rhodes (Figure 11), and to the node between photodiode 103 and reset transistor 101a as in Chen et al (Figure 1C). The conductor layer 320 as in Rhodes (Figure 11) corresponds to the connection 44 between region 30 and "source follower" transistor 36 as in Rhodes (Figure 1), and to the connection

between photodiode 103 and "source follower" transistor 104 as in Chen et al (Figure 1C).

The "isolation structure" reads on a field oxide FOX as in He et al and field oxide 132, 332 as in Rhodes, which would have been obvious to use for isolation. A field oxide FOX as in He et al is "over the photosensing region" 103, as claimed. The claimed "periphery of the isolation structure" reads on a field oxide 132, 332 (Figure 5, column 7, lines 8-20; Figure 11, column 10, lines 13-31) as in Rhodes, which would have been obvious to use for isolation between a photodiode 103 and the gate of a source follower transistor 104, as in Chen et al (Figure 1C). Thus, He et al and Rhodes together would have suggested a field oxide "isolation structure over the photosensing region" as in He et al (Figure 2), where also a field oxide "periphery of the isolation structure" is used between a "photodiode sensing" region and the gate of a "source follower" transistor, as in Rhodes (Figure 11). As claimed, Rhodes (Figure 11) shows a "first end of the local interconnect" 320 at 315, a "periphery of the isolation structure" at 332, and a "second end of the local interconnect" 320' at "source follower" transistor area 330.

Note that in Rhodes, region 315 in Figure 11 corresponds to region 30 in Figure 1, which is a source region of reset transistor 31. Reset transistor 104 of present invention (Figure 1) corresponds to reset transistor 31 of Rhodes (Figure 1), reset transistor 101a of Chen et al (Figure 1C), and the reset transistor of He et al (Figure 2). Photodiode 102, 206, 306 of present invention (Figures 1, 2, 3F) corresponds to photodiode 103 of Chen et al (Figure 1C), photodiode 350, 352 of Rhodes (Figure 11),

Art Unit: 2811

and photodiode 103 of He et al (Figure 2). Source follower transistor 106 of present invention (Figure 1) corresponds to source follower transistor 36 of Rhodes (Figure 1) and source follower transistor 104 of Chen et al (Figure 1C). Conductive layer 212 of present invention (Figure 2) corresponds to conductive layer 320 of Rhodes (Figure 11).

The conclusion is that the claimed invention as a whole would have been obvious at the time the invention was made. The hypothetical person of ordinary skill in the art, familiar with all that He et al, Chen et al '263 and Rhodes '915 disclose, "would have found it obvious to make a structure corresponding to what is claimed." In re Sovish, 226 USPQ 771, 774 (Fed. Cir.1985).

#### **(10) Response to Argument**

The Brief (page 6) agrees that the "local interconnect" layer 212 (Figures 2, 3F) does not extend to cover the portion of the "isolation structure over the photosensing region" 206, 306. Contrary to the Brief (page 6), the combined teachings of the references would have suggested an "isolation structure over the photosensing region," as in He et al (Figure 2), along with a "periphery of the isolation structure" to be used, as in Rhodes, for isolation between a "photodiode sensing" region and the gate of a source follower transistor, as in Rhodes and Chen et al. Contrary to the Brief (pages 6-7), the claimed "local interconnect" reads on a conductive layer 320 as in Rhodes (Figure 11), which simply implements an interconnection between a photodiode and the gate of a source follower transistor, as taught in Rhodes and Chen et al.

Contrary to the Brief (pages 6-7), one cannot show non-obviousness by attacking He et al, Chen et al and Rhodes individually where, as here, the rejection is based on

the combined teachings of the references. In re Keller, 208 USPQ 871, 881, 882 (CCPA 1981).

It is submitted that the claims on appeal are properly rejected as unpatentable, as explained above.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

Conferees:

Richard Elms

  
  
RICHARD T. ELMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

Darren Schuberg

 BDS

Gene M. Munson

 (deceased)